

Applicant Initiated Interview Request Form

Application No.: 10/736,089 First Named Applicant: Ajith Kumar
 Examiner: Ronnie M. Mancho Art Unit: 3281
 Status of Application: Pending – Final Office action mailed August 8, 2006.

Tentative Participants:

- (1) Ronnie M. Mancho (2) Robert O. Enyard, Jr. (Reg. No. 57,780)
 (3) _____ (4) _____

Proposed Date of Interview: October 13, 2006 Proposed Time: 10:30am (eastern)

Type of Interview Requested:

- (1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc.)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>112 Rejection</u>	<u>1,3,8,14-26 and 50-62</u>	<u>NA</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>102 Rejection</u>	<u>Same</u>	<u>Polivka (U.S. 5828979)</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

The undersigned requests a telephone interview to discuss the Final Office action mailed August 8, 2006. In particular, applicant would like to discuss the rejection of claims 1,3, 8, 14-26, 50-62 under 35 U.S.C. 112, second paragraph based on the terms "optimizing" or "optimize" (See Office action page 2). Applicant would also like to discuss the rejection of claim 1 based on broad range limitation together with a narrow range limitation that falls within the broad range limitation is indefinite. (See Office action page 2). MPEP 2173.05 (c) provides that "use of a narrow numerical range that falls within a broader range in the same claim may render the claim indefinite when the boundaries of the claim are not discernible. The limitations set forth in claim 1 are not numerical ranges but are physical components of a railroad system. Applicant would also like to discuss the Office's determination that the specification is insufficient in determining "railroad infrastructure level." (See Office action at page 3).

Example Amendments to claims 1, 14-16 are included for purposes of discussion only.

The undersigned requests a telephone interview to discuss the Office action mailed August 8, 2006.

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01). This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.



(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)